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Viewing cable 09MEXICO283, THE U.S.-MEXICAN RELATIONSHIP: MEETING CHALLENGES,

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Reference ID	Created	Released	Classification	Origin
09MEXICO283	2009-02-04 17:08	2011-08-30 01:44	CONFIDENTIAL	Embassy Mexico

Appears in these articles:

<http://wikileaks.jornada.com.mx/notas/la-relacion-eu-mexico-mas-fuerte-que-nunca>

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RR RUEHCD RUEHGD RUEHHO RUEHMC RUEHNG RUEHNL RUEHRD RUEHRS RUEHTM
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TO RUEHC/SECSTATE WASHDC 4895
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE

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2009-02-04 17:08:00
09MEXICO283
Embassy Mexico
CONFIDENTIAL

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C O N F I D E N T I A L SECTION 01 OF 03 MEXICO 000283

SIPDIS

E.O. 12958: DECL: 01/15/2019

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SUBJECT: THE U.S.-MEXICAN RELATIONSHIP: MEETING CHALLENGES,
TAPPING OPPORTUNITIES IN 2009--SECURITY AND REFORM

Classified By: POLCOUNS CHARLES V. BARCLAY. REASONS 1.4(b)
and (d)

¶1. (C) Summary. Mexico's drug cartels are responsible for 60-80 percent of the cocaine and a significant percentage of other drugs entering the U.S., their activities corrupt Mexican institutions, foment insecurity throughout Mexico, and instigate rising violence on the U.S.-Mexico border. Disrupting and ultimately dismantling these groups represents one of our Mission's highest priorities. To achieve that objective, we need to help Mexico build stronger law enforcement institutions committed to working together not only to attack the cartels from without but corruption from within. We also must help Mexico improve its ability to collect and then act expeditiously on intelligence. Mexico is looking for much from us in terms of combating U.S. drug demand, trafficking of arms from the U.S. into Mexico, and money laundering in the U.S. and we need to step up our efforts across the board. Last, but not least, we need to assist Mexico in implementing justice reform that will enable Mexico to turn the page on corruption and establish the rule of law. The Merida Initiative provides a platform for achieving these objectives provided it remains flexible yet focused. This cable is the first in a series of five cables that aim to define the issues that will shape the U.S.-Mexico relationship in the coming year. End Summary.

Reinforce President Calderon's Commitment to Law Enforcement Development

¶2. (SBU) The Mexican public correctly perceives Mexican law enforcement institutions as widely inept and corrupt. Calderon's own security chief highlighted a recent federal review in which 56,000 police officers failed to meet minimum professional standards. We must ensure that the Merida Initiative's focus on police training and vetting not only professionalizes and sanitizes Mexico's police forces, but reinforces Calderon's goal of ending impunity. As Merida moves forward, we need to encourage the GOM to establish aggressive internal affairs units to better identify and sanction bad cops, as well as map out a career path for law enforcement officials that rewards good ones with advancement and better pay.

Encourage Better Inter-Institutional Cooperation

¶3. (U) The major institutions engaged in Mexico's war on drugs -- the military, public security, the Attorney General's office, and the national security intelligence arm, on down to the state and municipal law enforcement community -- don't trust each other. In principle, the GOM aims to promote greater interoperability through its information-sharing initiative Plataforma Mexico; so far, however, each agency has continued to pursue leads and conduct investigations independent of, if not at odds with, its counterparts. On an institutional level, the Attorney General's Office (PGR) is resisting the Secretariat of Public Security's (SSP) efforts to integrate the Federal Investigative Agency (AFI) officials into its forces and opposition parties in Congress have raised their own objections to legislation that would call for the merging of SSP and AFI into a single unitary federal police force.

¶4. (SBU) Ongoing U.S. funded vetting programs have facilitated the creation of trusted units within several of Mexico's law enforcement entities. The Merida Initiative will fund vetting programs on a far more extensive level. Recently adopted legislation calls for the creation of a National Council for Public Security which the president will head and will include the ministries of government, public security, national defense and the navy. However, it would be a mistake to regard this council as the panacea for the

deep-seated distrust that presently characterizes relations. The Merida planning process was instrumental in bringing Mexico's poorly coordinated law enforcement elements to the same table. We must continue to use it as a way to promote greater trust and interoperability among Mexico's federal law enforcement elements; at the same time, we must ensure that future Merida programs are designed to undermine reflexive parochialism here and maximize cooperation and interoperability.

Enhance Intelligence Collection and Sharing

15. (C) Mexico's current intelligence collection capabilities are limited. CISEN is primarily focused on terrorist threats and domestic subversion issues. The military remains largely concentrated on collecting against the EPR and other domestic threats. Mexico's intelligence organs are only beginning to develop expertise in targeting Mexico's cartels. As our trust in vetted units has grown over the past ten years our law enforcement community has begun to share compartmentalized intelligence with Mexican counterparts and helped them take down key targets. In September 2008, SEMAR signed a General Security of Military Information Agreement (GSOMIA) and in October 2008, NORTHCOM J2 visited SEMAR for an unprecedented intelligence sharing conference centering on counter narcotics and counterterrorism.

16. (C) We now want to capitalize on the Secretariat of National Defense's (SEDENA) expressed interest in securing a similar agreement and hope to sign one in Summer 2009. A high priority, however, will be to implement and operationalize both agreements by bringing Mexico's fledgling collection efforts up to speed through training and best practice sharing, ensuring that shared intelligence is properly handled and ensuring as well that actionable intelligence results in action.

Engage the Enemy on Our Side of the Border

17. (SBU) The U.S.- Mexico law enforcement partnership has already accelerated success in terms of high level captures and extraditions of major drug traffickers in Mexico. The GOM and Mexican public appreciate the helping hand we are extending through the Merida Initiative, but expect us to take actions on our side of the border. The U.S. is putting considerable efforts into targeting money launderers in the U.S., curbing our drug demand, and more effectively impeding the flow of weapons into Mexico. ICE and ATF are looking at a "surge" in personnel and resources to respond to rising concerns about criminal activities in the border region. We need to explore ways to build on these initiatives with sufficient funding and resources to ensure our efforts match those of the GOM.

Broaden Judicial Reform Effort

18. (SBU) Putting in place genuine judicial reform is one of the single most important pre-requisites to Mexico's long term ability to gain the upper hand over organized crime, turn the page on corruption and establish the rule of law. The Merida Initiative's significant funding for judicial reform here offers us leverage not only to encourage passage of appropriate legislation, but provide necessary training to fully implement laws once they are passed.

19. (C) The judicial reform bill passed last June mandating Mexico's shift to an accusatory system over the next eight years is welcome. However, before this and other reforms of Mexico's antiquated judicial system can take effect, the Mexican Congress needs to overhaul the federal procedural and penal codes, among other laws. We are discreetly working with some members of Congress on a draft and have offered to assist PGR with Calderon administration's proposals, which for the most part continue to be drafted internally with minimal input from non-GOM entities.

110. (SBU) Legislative efforts to date provide an excellent

start, but Mexican prosecutors need additional tools to alleviate a massive case overload in the courts and allow authorities to gain the cooperation of lower level defendants to build cases against organized crime leaders. While not a panacea, plea bargaining and other arrangements and other mechanisms for pre-trial disposition of cases will go a long way to alleviating over-crowded judicial dockets and giving prosecutors the tools they need to get criminal defendants to help identify, investigate and prosecute their associates and bosses. Once these reforms are passed, we will help the PGR develop and implement these mechanisms through our training programs.

¶11. (SBU) A robust asset forfeiture regime will also be crucial to hitting Mexico's cartels where it hurts, but it remains to be seen whether Mexico can pass and implement legislation that is up to the task. The Calderon administration has presented to Congress a strong asset forfeiture bill (based on Colombia's "Extincion de Dominio" law, which the USG helped draft and implement), but general distrust of government may result in a weakened version. The bill will be taken up during an abbreviated legislative session this winter. Working closely with Attorney General's office, we will use what may be a short-window to encourage a law with sufficient teeth.

¶12. (C) Comment: Failure to successfully implement Calderon's broad reform agenda will undercut Mexico's long term efforts to transform the judicial system and give its law enforcement community more effective tools for its campaign against organized crime. The Merida Initiative provides funding to promote such reforms, mostly through training, and the Mission country team is well-positioned to influence both their design and implementation. To be sure, the weight of responsibility for adopting new reforms and ensuring existing ones take effect falls on the Mexican government. For its part, Washington can support this process by ensuring our resource base remains robust in coming years -- and by devoting greater resources and focus to areas of outstanding Mexican concern, such as illegal arms trafficking and bulk cash smuggling.

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